

REMARKS

I. Introduction.

Claims 8, 9, 11-13 and 15-18 are currently pending and rejected in this Application, of which claim 8 is independent. Claim 8 has been amended. Applicant respectfully submits that all pending claims are in condition for allowance.

II. Cooper '328 and Lehman '286.

Claims 8, 9, 11-13 and 17 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. patent No. 5,330,328 (*Cooper* '328). Independent claim 8 (and claims 9 and 11-13) were previously rejected in the Office Action mailed May 1, 2009. Applicant respectfully submits that independent claim 8 as amended (upon which the remaining rejected claims depend) is not anticipated or rendered obvious by *Cooper* '328 or *Lehman* '286.

In particular, neither reference discloses or suggests a support post that includes a top surface that extends through an opening in a support structure, wherein the top surface of the support post interfaces with a provided post clamp coupled to the superstructure, thereby supporting the superstructure.

In one exemplary embodiment of the present invention (depicted in Figures 1A, 1B, and 2 of the Application), the top surface (34C) of post 34 extends through an opening in superstructure 36 to interface with flanges 78 on post clamp 35 coupled to superstructure 36. The flanges 78 rest upon the top surface 34C of each post clamp 34, thus supporting the superstructure 36. Among other things, the present invention does not require grooves or through-bolt holes to be machined into the support posts to engage the post clamps or to support the superstructure 36. Additionally, the present invention avoids problems of weakening and cracking of conventional support posts that use grooves or holes to support the weight of the superstructure. Furthermore, clamping the post above the top surface of the superstructure avoids the intense heat and splashing of molten metal underneath the superstructure, making it easier to install/replace a support post in a pump of the present invention.

In *Cooper* '328, each support post 24 includes a through-bolt hole 243 through which a bolt is passed and used to tighten the clamp to the support post 24 and support the superstructure. See col. 10, lines 25-45 and Figure 15. However, as best seen in Figure 15, it is the through-

bolts, not the top surfaces of the support posts 24, that support the superstructure. Accordingly, *Cooper* '328 does not disclose the limitations of independent claim 8 as amended.

In *Lehman* '286, the post embodiments depicted in Figure 4, 7, 8, and 10 each require a through-bolt to engage the post to a clamp and to provide the sole support for the superstructure. None of these embodiments disclose or suggest that the top surface of the support post interfaces with a clamp to support the superstructure. Additionally, the support of the superstructure using the depicted through-bolts would suffer from the same issues of fatigue and cracking of other conventional posts, a problem which is alleviated by the present invention.

In the embodiment depicted in Figure 9, the top surface of the post 82 does not extend above the top surface of the support structure 80 as required by independent claim 8. Applicant further notes that the embodiment of the post in Figure 9 also requires a through-bolt (76) to engage the clamp and superstructure to the post, which may cause the post to crack or break over time. Additionally, since the clamp in Figure 9 is located on the underside of the superstructure 80, the clamp would be exposed to the heat and splash from molten metal, further complicating the elaborate "pendulum" post removal process discussed in col. 6, line 51 through col. 7, line 10. As such, Applicant respectfully submits that *Lehman* '286 does not disclose or suggest the limitations of independent claim 8.

III. Rejections under 35 U.S.C. § 103(a).

Claims 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,330,328 (*Cooper* '328). Applicants respectfully submit that claims 15-18 each ultimately depend from independent claim 8 and are thus allowable for the same reasons set forth above.

CONCLUSION

In view of the amendments and arguments herein, reconsideration is respectfully requested. Applicant believes the case is in condition for allowance, and respectfully requests withdrawal of the rejections and allowance of the pending claims.

Applicant reserves the right to prosecute any cancelled claims or additional claims, including claims of broader scope, in a continuation application.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to **Deposit Account No. 19-3878**.

The Examiner is invited to telephone the undersigned at the telephone number listed below if it would in any way advance prosecution of this case.

Respectfully submitted,

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